

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00777-TSC**

SMITH v. UNITED STATES OF AMERICA et al
Assigned to: Judge Tanya S. Chutkan
Case: 1:17-cv-01796-TSC
Cause: 05:552 Freedom of Information Act

Date Filed: 04/05/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

GRANT F. SMITH

represented by **GRANT F. SMITH**
IRMep
P.O. Box 32041
Washington, DC 20007
202-342-7325
Email: gsmith@IRMep.org
PRO SE

V.

Defendant

UNITED STATES OF AMERICA

represented by **Jeremy S. Simon**
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DISTRICT OF COLUMBIA
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sherri L. Morgan
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TERMINATED: 11/09/2018

Defendant

JOHN J. SULLIVAN
*Acting Secretary, U.S. Department of
State*

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sherri L. Morgan
(See above for address)
TERMINATED: 11/09/2018

Defendant

RICK PERRY
Secretary, U.S. Department of Energy

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sherri L. Morgan
(See above for address)

TERMINATED: 11/09/2018

Date Filed	#	Docket Text
04/05/2018	<u>1</u>	COMPLAINT against RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA (Filing fee \$ 400, receipt number 4616090369) filed by GRANT F. SMITH. (Attachments: # <u>1</u> Civil Cover Sheet)(td) (Entered: 04/11/2018)
04/05/2018		SUMMONS (4) Issued as to RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA, U.S. Attorney and U.S. Attorney General (td) (Entered: 04/11/2018)
04/05/2018	<u>2</u>	NOTICE OF RELATED CASE by GRANT F. SMITH. Case related to Case No. 17cv1796 TSC. (td) Modified to correct related case no. on 4/23/2018 (td). (Entered: 04/11/2018)
04/05/2018	<u>3</u>	MOTION for CM/ECF Password by GRANT F. SMITH (td) (Entered: 04/11/2018)
04/05/2018	<u>4</u>	MOTION for Permission to use Post Office Box and Agent Address by GRANT F. SMITH (td) (Entered: 04/11/2018)
04/12/2018		MINUTE ORDER: Granting Plaintiff's <u>3</u> Motion for CM/ECF Password; Granting Plaintiff's <u>4</u> Motion to use P.O. Box address. Signed by Judge Tanya S. Chutkan on 4/12/18. (DJS) (Entered: 04/12/2018)
04/19/2018	<u>5</u>	NOTICE of Appearance by Sherri L. Morgan on behalf of RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA (Morgan, Sherri) (Entered: 04/19/2018)
04/25/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/10/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/10/2018. (SMITH, GRANT) (Entered: 04/25/2018)
04/25/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/10/2018. (SMITH, GRANT) (Entered: 04/25/2018)
04/25/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. RICK PERRY served on 4/9/2018 (SMITH, GRANT) (Entered: 04/25/2018)
04/25/2018	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. JOHN J. SULLIVAN served on 4/10/2018 (SMITH, GRANT) (Entered: 04/25/2018)
05/03/2018	<u>10</u>	First MOTION for Extension of Time to File Answer , First MOTION for Extension of Time to File Response/Reply by RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA (Morgan, Sherri) (Entered: 05/03/2018)
05/07/2018		MINUTE ORDER: Granting <u>10</u> Defendants' Motion for Extension of Time to Answer. Defendants shall answer or otherwise respond to the complaint by June 11, 2018. Signed by Judge Tanya S. Chutkan on 5/7/18. (DJS) (Entered: 05/07/2018)
05/07/2018		Set/Reset Deadlines: Answer due by 6/11/2018. (tb) (Entered: 05/07/2018)
06/11/2018	<u>11</u>	MOTION for Briefing Schedule , Unopposed MOTION for Extension of Time to File Response/Reply by RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA (Morgan, Sherri) (Entered: 06/11/2018)
06/11/2018	<u>12</u>	ANSWER to <u>1</u> Complaint by RICK PERRY, UNITED STATES OF AMERICA.(Morgan, Sherri) (Entered: 06/11/2018)
06/11/2018		ORDER denying without prejudice <u>11</u> Motion for Briefing Schedule. The parties shall submit a proposed briefing schedule that contains actual due dates. Signed by Judge Tanya S. Chutkan on 6/11/18. (DJS) (Entered: 06/11/2018)
06/11/2018	<u>13</u>	Unopposed MOTION for Extension of Time to File Response/Reply , MOTION for Briefing Schedule by RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA (Morgan, Sherri) (Entered: 06/11/2018)

06/11/2018		MINUTE ORDER: Granting <u>13</u> Unopposed Motion for Briefing Schedule. Defendants' Motion to Dismiss and/or Motion for Summary Judgment due July 26, 2018. Plaintiff's Response to dispositive motions due by August 16, 2018. Defendants' Reply due by September 6, 2018. Signed by Judge Tanya S. Chutkan on 6/11/18. (DJS) (Entered: 06/11/2018)
06/12/2018		Set/Reset Deadlines: Summary Judgment motion due by 7/26/2018. Response to Motion for Summary Judgment due by 8/16/2018. Reply to Motion for Summary Judgment due by 9/6/2018. (tb) (Entered: 06/12/2018)
07/26/2018	<u>14</u>	MOTION to Dismiss MOTION for Summary Judgment by RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration and Exhibits for Dept of Energy, # <u>3</u> Declaration for Dept of State)(Morgan, Sherri) Modified event title on 8/7/2018 (znmw). (Entered: 07/26/2018)
08/16/2018	<u>15</u>	RESPONSE re <u>14</u> MOTION to Dismiss MOTION for Summary Judgment <i>Cross Motion for Summary Judgment</i> filed by GRANT F. SMITH. (Attachments: # <u>1</u> Statement of Facts Statement of Facts, # <u>2</u> Text of Proposed Order Text of Proposed Order)(SMITH, GRANT) (Entered: 08/16/2018)
08/16/2018	<u>16</u>	CROSS MOTION for Summary Judgment by GRANT F. SMITH. (See Docket Entry <u>15</u> to view document). (tth) (Entered: 08/17/2018)
09/06/2018	<u>17</u>	REPLY to opposition to motion re <u>14</u> MOTION to Dismiss MOTION for Summary Judgment , <u>16</u> MOTION for Summary Judgment filed by RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A: 2018 FOIA Request, # <u>3</u> Exhibit B: DOS Response to 2018 FOIA Request, # <u>4</u> Statement of Facts Opposition to Plaintiff's Statement of Facts)(Morgan, Sherri) (Entered: 09/06/2018)
09/06/2018	<u>18</u>	RESPONSE <u>16</u> MOTION for Summary Judgment <i>and</i> filed by RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Statement of Facts in Opposition to Plaintiff's Statement of Facts, # <u>2</u> Declaration, # <u>3</u> Exhibit A: 2018 FOIA Request, # <u>4</u> Exhibit B: DOS Response to 2018 FOIA Request)(Morgan, Sherri) Modified text on 9/7/2018 (ztd). (Entered: 09/06/2018)
09/10/2018	<u>19</u>	Amended Cross MOTION for Summary Judgment n by GRANT F. SMITH (SMITH, GRANT) Modified text and event on 9/11/2018 (ztd). (Entered: 09/10/2018)
09/11/2018	<u>20</u>	RESPONSE re <u>19</u> MOTION for Summary Judgment, <u>16</u> MOTION for Summary Judgment filed by RICK PERRY, JOHN J. SULLIVAN, UNITED STATES OF AMERICA. (Morgan, Sherri) (Entered: 09/11/2018)
11/09/2018	<u>21</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Jeremy S. Simon on behalf of All Defendants Substituting for attorney Sherri L. Morgan (Simon, Jeremy) (Entered: 11/09/2018)
09/30/2019	<u>22</u>	MEMORANDUM OPINION regarding Defendants' motion <u>14</u> to dismiss, or in the alternative for summary judgment; Plaintiff's cross motion <u>16</u> for summary judgment; and Plaintiff's amended cross motion <u>19</u> for summary judgment. Signed by Judge Tanya S. Chutkan on 9/30/2019. (lctsc1) (Entered: 09/30/2019)
09/30/2019	<u>23</u>	ORDER granting DOS' motion <u>14</u> to dismiss and DOE's motion <u>14</u> for summary judgment; denying DOS' motion <u>14</u> for summary judgment as moot; denying Plaintiff's cross motion <u>16</u> for summary judgment and amended cross motion <u>19</u> for summary judgment; and directing the Clerk of the Court to close this case. Signed by Judge Tanya S. Chutkan on 9/30/2019. (lctsc1) (Entered: 09/30/2019)